

A C T

Concerning the

D E C L A R A T I O N

To be signed by all persons in publick Trust.

At Edinburgh, the fourth day of August, one thousand six hundred and sixty three.



Whereas, as by an Act, past in the second Session of this Parliament, on the fifth of September last, concerning the Declaration to be taken by all persons in publick Trust, It is remitted to His Majesties Commissioner to take such course as he should think fit, how these, who are presently in Office, may subscribe the Declaration; And the Kings Majesty being resolved, that all in publick Trust, should, without further delay, sign the same: But, considering, that in this vacand time, many of the Courts of Justice do not sit, so as some longer time must be allowed unto them. Therefore, the Kings Majesty, with advice and consent of His Estates in Parliament, Statutes and Ordains all persons, who enjoy or possess any publick Trust or Office within this Kingdom, as Officers of State, Members of Parliament, Privy Counsellors, Lords of the Session, Commissioners in Exchequer, all Members of the Colledge of Justice, Sheriffs, Stewarts, Bailies of Regalties, Commissaries, Justices of Peace, and their respective Deputes and Clerks, and all who enjoy any other publick Charge, Office or Trust within the Kingdom, to subscribe the Declaration hereunto subscribed, in presence of the severall Courts they relate to, betwixt and the eleventh of November next to come, or sooner, as they shall have occasion or be required thereto by His Majesties Council; Discharging hereby all such of them, who shall not sign the same, as said is, to exerce any publick Trust or Office within the Kingdom, after the said eleventh of November. And that a speedy account may be returned hereof, It is hereby Ordained, that the Sheriffs in the severall Shires be carefull in requiring due obedience to this Act, and that they and all others concerning therein, make report thereof to His Majesties Council, betwixt and the first of January next to come. And that the election of the Magistrates and Council of Burghs will occur about Michaelmas next, and that some affected persons in Burghs, having none or small advantages by their Magistracy, may, upon account of this Declaration, refuse to accept any Charge or Trust; It is therefore, by His Majesty, with advice foresaid, Statute, That at the next ensuing election of Magistrates within Burgh, all such persons who shall continue in, or be of new elected to be Magistrates, Clerks, or of the Council of Burghs, shall at such their elections, if they be present, or otherwise, how soon thereafter they shall be required thereto by those who did elect them, sign the Declaration foresaid; Declaring hereby, all who shall refuse or delay the same, to be from thenceforth not only incapable of, and to have forfeited, the priviledges of a Magistrate, but also all the priviledges of Merchandizing, Trading, and others belonging to a Burghers; And that the severall Burghs make report of their proceedings therein to His Majesties Council, betwixt and the foresaid eleventh of November, as they will be answerable upon their duty and allegiance: And for such as shall hereafter be admitted to any publick Trust or Office, they are to sign the Declaration in the maner, and under the certifications, exprest in the former Act of Parliament of the fifth of September. And His Majesty Doth hereby recommend to the Lords of His Majesties Privy Council, to be carefull that these Acts be put to due execution, and receive obedience conform to the tenor thereof; And that these presents be forthwith printed, and published at the Mercat Crosses of all the Royal Burroughs, that all His Majesties good Subjects may have timeous notice thereof.

I Do sincerely affirm and declare, that I judge it unlawfull to Subjects, upon pretence of Reformation or other pretence whatsoever, to enter into Leagues and Covenants, or to take up Armes against the King or these commissioned by Him: And that all these Gatherings, Convocations, Petitions, Protestations, and erecting and keeping of Council-tables, that were used in the beginning, and for carrying on, of the late troubles, were unlawfull and seditious. And particularly, that these Oaths, whereof the one was commonly called *The National Covenant*, (as it was sworn and explained in the year, one thousand six hundred and thirty eight, and thereafter) and the other entituled, *A Solemn League and Covenant*, were, and are, in themselves, unlawfull Oaths, and were taken by, and imposed upon, the Subjects of this Kingdom, against the fundamental Laws and Liberties of the same; And that there lyeth no obligation upon me, or any of the Subjects, from the saids Oaths, or either of them, to endeavour any change or alteration of the Government, either in Church or State, as it is now established by the Laws of the Kingdom.